

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: AVANDIA MARKETING, SALES  
PRACTICES AND PRODUCTS  
LIABILITY LITIGATION**

**THIS DOCUMENT RELATES TO ALL  
ACTIONS**

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**MDL 1871  
2:07-md-01871-CMR  
HON. CYNTHIA M. RUFE**

**APPLICATION OF JOSEPH J. ZONIES, ESQ.  
FOR APPOINTMENT TO THE PLAINTIFFS' STEERING COMMITTEE**

Pursuant to Case Management Order No. 1, Joseph Zonies respectfully submits his Application for Appointment to the Plaintiffs' Steering Committee.

**PROFESSIONAL EXPERIENCE**

Joseph Zonies is a partner with the 18-lawyer trial firm of Reilly Pozner & Connelly, LLP. He was born in Philadelphia, Pennsylvania and raised in Reading, Pennsylvania. Mr. Zonies graduated from The Hill School in Pottstown, Pennsylvania before attending the University of Notre Dame where he earned his B.A. He then attended the University of Denver College of Law where he graduated first in his law school class. During this time, he earned the highest grade in the class in eleven courses ranging from Torts and Securities Regulation to Tax and Water Law. After law school, Mr. Zonies clerked for the Honorable John C. Porfilio in the United States Court of Appeals for the Tenth Circuit.

Mr. Zonies began his private practice career in the litigation department of a large Denver law firm where he defended complex commercial litigation cases and class actions. From this experience, Mr. Zonies gained an understanding of the various aspects of and challenges faced by the defense in complex litigation which has equipped him to work effectively and efficiently with defense counsel. He then formed a law firm where his practice shifted to the plaintiffs' side of the bar. Since that time, Mr. Zonies has represented plaintiffs in complex litigation,

employment and consumer class actions, personal injury and pharmaceutical products liability cases.

Mr. Zonies has represented hundreds of clients in pharmaceutical mass tort litigations, including Baycol, Zyprexa, Vioxx, Bextra, Ortho-Evra, Welding Rods, and Ephedra. During this time, he has been involved in numerous multi-district litigations. Mr. Zonies also has been a frequent lecturer on topics related to mass torts and complex actions. Some of his recent speaking engagements include the following:

- *Judicious Vioxx Case Screening Strategies*  
Mealey's Vioxx Litigation Conference, Amelia Island, FL
- *Use of the Learned Intermediary Doctrine*  
Mealey's Vioxx Litigation Conference, Las Vegas, NV
- *Focus on the Medicine -- the Link Between Bextra Use & Stevens Johnson Syndrome*  
Mealey's Bextra and Celebrex Litigation Conference, Chicago, IL
- *Convincing the Jury of Your Case*  
Mealey's Vioxx Litigation Conference, New Orleans, LA
- *Class and Collective Action Wage Cases*  
CBA Annual Employment Law Conference, Denver, CO

In addition to his work in mass tort litigation, Mr. Zonies has been lead attorney and appointed as lead class counsel in a number of complex class actions. He has acted as coordinating class counsel in a number of these cases.

Mr. Zonies' firm, Reilly Pozner & Connelly LLP, is widely recognized as one of the leading litigation law firms in Colorado with a national practice. Among its clients it counts the Denver Broncos and the University of Colorado. Partners at Reilly Pozner & Connelly are recognized as top-tier litigators with three partners named as *Best Lawyers in America*, including one for "Bet-the-Company Litigation." The firm has been appointed as class counsel in a number of significant class actions, including one on behalf of customers of a major telecommunications company that resolved through establishment of a settlement fund of \$120 million for multiple class actions in several states.

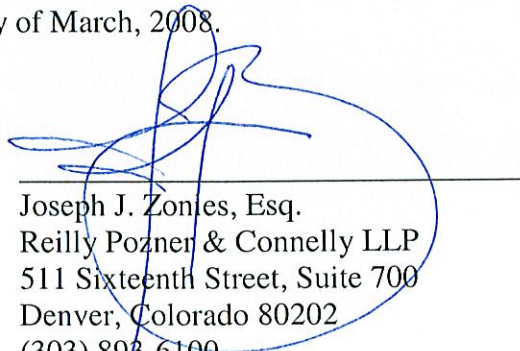
### **ABILITY TO WORK COOPERATIVELY WITH OTHERS**

Mr. Zonies has and will continue to work cooperatively with all counsel involved in this litigation. Since last year he has worked closely with several dozen attorneys to move this litigation forward. Mr. Zonies has attended and actively participated in meetings with other plaintiffs' counsel in Denver, New York and Philadelphia. In addition, he has participated in and coordinated meetings with Defendant's Liaison Counsel telephonically and at their offices in Philadelphia. As the principle drafter of many of the documents already submitted or to be submitted in this MDL litigation, Mr. Zonies has coordinated and obtained consensus from dozens of involved counsel on the papers and pleadings filed and to be filed with the Court.

### **AVAILABILITY**

Mr. Zonies and his firm have already committed, and will continue to commit, the necessary human and financial resources to further the prosecution of these cases. Mr. Zonies has dedicated associate attorneys, paralegals, administrative staff and his firm's on-site trial graphics and presentation department. Mr. Zonies' experience in complex class actions and pharmaceutical mass tort cases makes him ideally suited to handle the substantive, coordinating and administrative issues necessitated by a position on a Plaintiffs' Steering Committee.


Respectfully submitted this 20th day of March, 2008.



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**CERTIFICATE OF SERVICE**

The foregoing Application of Joseph J. Zonies, Esq. for Appointment to the Plaintiff's Steering Committee has been filed electronically and is available for viewing and downloading from the ECF system. A true and correct copy of this document has been served upon each counsel of record as reflected in the Court's service list as of March 20, 2008 by either electronic service through the ECF system or first class mail, postage prepaid.

A handwritten signature in black ink, reading "Shea Shaver", is written over a horizontal line.

Shea N. Shaver